

Remarks/Arguments:

Claim 1 has been amended. No new matter is introduced herein. Of pending claims 1-8, 10-26, 28 and 29, claims 15-21 and 29 are withdrawn.

Claim 1 has been amended to recite: a software program receiver unit for receiving the software program certified by the broadcaster and an other software program which is a common software not certified by the broadcaster; a control unit for enabling the other software program to access the inherent information of the broadcaster when it is determined that the software program is the common software not certified by the broadcaster; and that the software program produces package information including identification information which identifies the television receiver and the inherent information accessed from the inherent memory unit. No new matter is introduced herein. Basis for the amendment includes, for example, page 51, line 15 - page 15 - page 53, line 3; and Figs. 3 and 18 of the subject specification.

Claims 1-3, 12 and 22 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Staunton et al. (US 2005/0110909) in view of Schein et al. (US 2003/0208758) and in view of Addington et al. (US 2004/0261126). It is respectfully submitted, however, that these claims are patentable over the cited art for the reasons set forth below.

Claim 1, as amended, includes features neither disclosed nor suggested by the cited art, namely:

... an inherent information memory unit for storing inherent information of a broadcaster, and being accessible only for a software program certified by the broadcaster ...

a control unit for enabling the other software program to access the inherent information of the broadcaster when it is determined that the software program is the common software not certified by the broadcaster,

wherein the software program produces package information including identification information which identifies the television receiver and the inherent information accessed from the inherent information memory unit ... (Emphasis added)

Staunton et al. relate to a remote control for a multimedia TV receiver to enable a variety of interactive applications. (Paragraph [0001].) Staunton et al. teaches that data streams of digital TV broadcasts may be used to provide interactive data (e.g., positions of contenders in a race, newsflashes, a score in a sports match) and to provide an interactive medium via the display of a remote control device. (Paragraph [0017].) Staunton et al. also teach that a broadcasting company can encourage channel loyalty through "loyalty points." The loyalty points may be used to purchase items and services offered for sale by the broadcaster, as well as for gaming/gambling activity. A remote control device is used to request, download and store the loyalty points. (Paragraphs [0020-0023].)

Staunton, et al., however, do not disclose or suggest a television receiver including an inherent information memory unit for storing inherent information of a broadcaster and being accessible only for a software program certified by a broadcaster, as required by claim 1. On page 3 of the Office Action, the Examiner agrees that Staunton et al. do not disclose a software program certified by the broadcaster. However, on page 2 of the Office Action, it is asserted that Staunton et al. teach an inherent information memory unit for storing inherent information of a broadcaster and being accessible only for a software program, based on paragraphs [0017], [0020] and [0021]. Applicant respectfully disagrees. Paragraph [0017] of Staunton et al. has nothing to do with an inherent memory unit. Furthermore, paragraphs [0020], [0021] of Staunton et al. relate to a remote control device connected to a TV receiver. The remote control device of Staunton et al., not the receiver, may include a memory for storing loyalty points.

In addition, Staunton et al. do not disclose or suggest a control unit for enabling the other software program to access the inherent information of the broadcaster when it is determined that the software program is the common software not certified by the broadcaster, as required by claim 1 (emphasis added). Staunton et al. are silent regarding this feature. Staunton et al. only relate to a loyalty points system to provide activities on a remote control device. (Paragraphs [0022] and [0023].)

Furthermore, as acknowledged by the Examiner on page 3 of the Office Action, Staunton et al. do not teach a software program receiver unit for receiving the

software program, the software program obtaining package information by using the inherent information from the inherent information memory unit. Accordingly, Staunton et al. cannot disclose or suggest that: a software program receiver unit receives a software program certified by the broadcaster and an other software program not certified by the broadcaster; and the software program produces package information including identification information which identifies the television receiver and the inherent information accessed from the inherent information memory unit, as required by claim 1. Thus, Staunton et al. do not include all of the features of claim 1.

Schein et al. relate to systems and methods for providing television and/or listing information to a viewer and for allowing the viewer to interact with information in a remote database. (Abstract.) Schein et al. teach an interactive computer system which provides television schedule and/or listing information and uses the information to control various peripheral devices (e.g., televisions, video tape recorders, set-top boxes) in the television system. (Paragraph [0007].) Schein et al. also teach that a computer program can be provided which contains software for receiving, organizing and displaying data for a television schedule guide. (Paragraph [0029].)

Schein et al., however, do not disclose or suggest: an inherent information memory unit for storing inherent information of a broadcaster that is accessible only for a software program certified by the broadcaster; a software program receiver unit for receiving the software program certified by the broadcaster and an other program which is a common software not certified by the broadcaster; a control unit for enabling the other software program to access the inherent information of the broadcaster when it is determined that the software program is the common software not certified by the broadcaster; and that the software program produces package information including identification information which identifies the television receiver and the inherent information accessed from the inherent information memory unit, as required by claim 1. Schein et al. only teaches providing a computer program which contains software for receiving, organizing and displaying data for a television schedule guide. Thus, Schein et al. do not make up for the deficiencies of Staunton et al. with respect to claim 1.

Addington et al. relate to systems and methods for provisioning, configuring and controlling a host device attached to a digital communication network, such as a

cable distribution network. (Abstract.) Addington et al. disclose, in Fig. 26, a procedure where a host manufacturer develops hardware and software for a new host. The host manufacturer submits hardware and software to a third party, which tests and certifies that the software performs as indicated and that no software bugs are present. If the software is certified, the software is released. (Paragraph [0274].)

Addington et al., however, do not disclose or suggest: an inherent information memory unit for storing inherent information of a broadcaster that is accessible only for a software program certified by the broadcaster; a software program receiver unit for receiving the software program certified by the broadcaster and an other software program which is a common software not certified by the broadcaster; a control unit for enabling the other software program to access the inherent information of the broadcaster when it is determined that the software program is the common software not certified by the broadcaster; and that the software program produces package information including identification information which identifies the television receiver and the inherent information accessed from the inherent information memory unit, as required by claim 1. Addington et al. only teach testing and certifying that software performs as indicated and that no software bugs are present. Thus, Addington et al. do not make up for the deficiencies of Staunton et al. and Schein et al. with respect to claim 1. Accordingly, allowance of claim 1 is respectfully requested.

Claims 2, 3, 12 and 22 include all of the features of claim 1 from which they depend. Accordingly, these claims are also patentable over the cited art for at least the same reasons as claim 1.

Claims 4, 5, 8, 10, 11, 13, 14, 23, 24 and 28 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Staunton et al. in view of Schein et al. in view of Addington et al. and in view of Hendricks et al. (US 6,539,548). These claims, however, include all of the features of claim 1 from which they depend. Hendricks et al. do not make up for the deficiencies of Staunton et al., Schein et al. and Addington et al. with respect to claim 1. Accordingly, claims 4, 5, 8, 10, 11, 13, 14, 23, 24 and 28 are also patentable over the cited art.

Claims 6, 7, 25 and 26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Staunton et al., Schein et al. in view of Addington et al. in view of

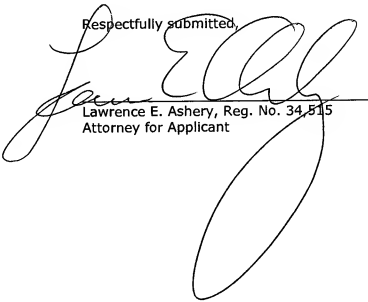
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Hendricks et al. and in view of Chang et al. (US 2002/0129362). These claims, however, include all of the features of claim 1 from which they depend. Hendricks et al. and Chang et al. do not make up for the deficiencies of Staunton et al., Schein et al. and Addington et al. with respect to claim 1. Accordingly, these claims are also patentable over the cited art.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,



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